

CORRECTIONS DEPARTMENT[201]

Adopted and Filed

Rule making related to parole

The Corrections Department hereby amends Chapter 45, “Parole,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 904.108.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 906.3.

Purpose and Summary

This rule making eliminates a rule that is inconsistent with, and is more efficiently handled by, the Board of Parole. The amendments to Chapter 45 remove a rule pertaining to conditions of parole and remove cross-references to the rule.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on February 22, 2023, as **ARC 6914C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on April 7, 2023.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

This rule making is not subject to waiver, since the subject matter of rule 201—45.2(906) is handled by the Board.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on June 7, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend subrules 45.1(1) and 45.1(2) as follows:

45.1(1) *Supervision.* Persons committed to the director of the department of corrections and granted parole by the Iowa board of parole shall be supervised by the judicial district departments of correctional services. The district departments shall impose conditions of parole as ~~contained in rule 201—45.2(906)~~ established and approved by the board of parole.

45.1(2) *Effective date/parole agreement.*

a. Parole is effective only upon the acceptance of the terms of parole as evidenced by the signing of the standard parole agreement form by the parolee before a district department employee. The parole agreement shall be issued only upon the written order of the board of parole and shall not be issued prior to the establishment of an approved parole plan. The parolee may not be released on parole prior to the execution of the parole agreement. The parole agreement shall contain the conditions of parole ~~pursuant to rule 201—45.2(906)~~ and shall contain the parolee's reporting instructions.

b. and c. No change.

ITEM 2. Rescind and reserve rule **201—45.2(906)**.

[Filed 4/11/23, effective 6/7/23]

[Published 5/3/23]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/3/23.